

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FIRST BANK,

Plaintiff,

v.

DJL PROPERTIES, LLC; JONATHON E.
GUTHRIE; and LISA M. GUTHRIE,

Defendants.

Case No. 09-CV-0969-MJR

ORDER

REAGAN, District Judge:

First Bank removed this case from the Circuit Court of Saint Clair County, Illinois on November 17, 2009, on the basis of a counterclaim in apparent disregard of Supreme Court case law. *See Shamrock Oil & Gas Corp. v. Sheets*, 313 U.S. 100 (1941). The Court ordered supplemental briefing because it doubted jurisdiction. It turns out that First Bank removed another case from Saint Clair County to this Court on the same day with the same counterclaim. That case was assigned to another District Judge who also doubted jurisdiction. *First Bank v. DJL Props., LLC*, No. 09-CV-0970-JPG (S.D. Ill. Jan. 27, 2010) (Gilbert, J.).¹ For the reasons stated in Judge Gilbert's opinion (*see id.* Doc. 21), the Court finds that it lacks subject-matter jurisdiction and **REMANDS** the case to the Circuit Court of Saint Clair County, Illinois.

IT IS SO ORDERED.

DATED January 29, 2010.

s/ Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge

¹ The Court reminds counsel for Plaintiff to indicate related cases on the Court's civil cover sheet when filing a new case, even if the related cases are filed simultaneously with the new case. This will not only increase judicial efficiency by making sure that related cases are assigned to the same District Judge, *see Smith v. Check-N-Go of Ill., Inc.*, 200 F.3d 511 (7th Cir. 1999), but will also eliminate any unintended appearance of judge shopping, *see S.D. Ill. R. 40.1(a)* ("Civil cases are randomly assigned to a District Judge pursuant to Administrative Order as from time to time amended by the Court. Any action taken to avoid the random assignment will subject that party and that party's attorney(s) to the full disciplinary power and sanctions of this Court."). This "gentle reminder" is in lieu of a Rule to Show Cause.